

STATE OCCUPATIONAL THERAPY LICENSURE BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 9/13/2019

BOARD MEMBERS PRESENT: Cherie Strand - Chair
Farrell Lindley-Kessler
Cari J Moodie

BOARD MEMBERS ABSENT: Jori A Bathina
Brenda P Krueger

BUREAU STAFF: Lori Peel, Investigative Unit Manager
Nicholas Crema, General Counsel
Debbie Toncray, Board Specialist
Lori Rodenspiel, Board Specialist

OTHERS PRESENT: Mel Henderson, Idaho Occupational Therapy
Association (IOTA)

The meeting was called to order at 9:00 AM MDT by Cherie Strand.

APPROVAL OF MINUTES

Ms. Lindley-Kessler made a motion to approve the minutes of 6/10/2019. It was seconded by Ms. Moodie. Motion carried.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

**NEGOTIATED RULEMAKING UNDER THE RED TAPE REDUCTION AND
LICENSING FREEDOM ACT EXECUTIVE ORDERS; OPPORTUNITY FOR PUBLIC
PARTICIPATION AND COMMENT**

Mr. Crema reviewed the final proposed revisions to the rules with the Board. Ms. Moodie made a motion to approve the proposed rules and authorize the Bureau to move forward with the legislative process. It was seconded by Ms. Lindley-Kessler. Motion carried.

FINANCIAL REPORT

Ms. Peel gave the financial report, which indicated that the Board had a cash balance of \$145,962.39 as of 8/31/2019.

BOARD CONTRACT

Mr. Crema and Ms. Peel reviewed the Board contract with the Board. Ms. Lindley-Kessler made a motion to approve the Board contract and authorize the Board chair to sign it on behalf of the Board. It was seconded by Ms. Moodie. Motion carried.

BOARD TRAINING

Mr. Crema reviewed the Board's role in protecting the public health, safety and welfare through the licensure and regulation of occupational therapy in Idaho.

OLD BUSINESS

The Board reviewed the To Do List and no action was taken.

NEW BUSINESS

REVIEW DRAFT FORMS FOR INACTIVE LICENSES

The Board reviewed the draft forms for licensees to change licensure status from active to inactive, and from inactive back to active status. Ms. Lindley Kessler made a motion to approve and post the forms. It was seconded by Ms. Moodie. Motion carried.

CORRESPONDENCE

AMERICAN OCCUPATIONAL THERAPY ASSOCIATION (AOTA) – OT INTERSTATE LICENSURE COMPACT INITIATIVE WEBINAR

The Board reviewed correspondence from the AOTA regarding the initial meeting/webinar to discuss the development of an interstate licensure compact for the OT profession. Ms. Strand said she would be participating in the meeting and bring the information to the next Board meeting.

SCOPE OF PRACTICE – DRY NEEDLING QUESTION

The Board reviewed correspondence from Mr. Lay regarding the use of dry needling as a treatment modality. Ms. Lindley-Kessler made a motion to authorize Mr. Crema to draft a response for the Board chair's review and signature. It was seconded by Ms. Moodie. Motion carried.

The Board discussed the possible inclusion of language from Idaho Code § 54-3702(13)(b)(xiii) within the proposed rules. Ms. Lindley-Kessler made a motion to add the language of "mechanical physical agent modalities other than used by hand therapists" within Rule 012; to approve the changes to the proposed rules; and to authorize the Bureau to move forward with the legislative process. It was seconded by Ms. Moodie. Motion carried.

PUBLIC COMMENT

Mr. Henderson discussed the CE courses currently being offered by another profession wherein the course information states that OTs do not practice sensory processing. He said that 90 percent of this research is done by OTs. The Board

thanked Mr. Henderson for the information. Mr. Crema explained that if any changes needed to be made to the law that IOTA would be responsible to take any proposed changes to the law through the legislative process.

ELECTION OF OFFICERS

Ms. Lindley-Kessler nominated Ms. Strand to be the Board chair. It was seconded by Ms. Moodie. Motion carried.

NEGOTIATED RULEMAKING UNDER THE RED TAPE REDUCTION AND LICENSING FREEDOM ACT EXECUTIVE ORDERS; OPPORTUNITY FOR PUBLIC PARTICIPATION AND COMMENT, CONTINUED

The Board reviewed the proposed changes specifically to the rules regarding the application and decided that the requirement of a passport-style photo would need to be added back into the proposed rules. Ms. Lindley-Kessler made a motion to approve the inclusion of Rule 021(01)f with the proposed rules. It was seconded by Ms. Moodie. Motion carried.

Ms. Lindley-Kessler made a motion to approve the proposed rules with all the changes and authorize the Bureau to move forward with the legislative process. It was seconded by Ms. Moodie. Motion carried.

CE COURSES

The Board reviewed and approved the following CE course:

THERAPEUTIC YOGA: APPLICATIONS, MODIFICATIONS AND CONTRAINDICATIONS THERAPEUTIC MOVEMENT SEMINARS

EXECUTIVE SESSION

Mr. Lindley-Kessler made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code 74-106(9). The purpose of the executive session was to consider documents relating to the fitness of an applicant to be granted a license or registration. It was seconded by Ms. Moodie. The vote was: Ms. Strand, aye; Ms. Lindley-Kessler, aye; and Ms. Moodie, aye. Motion carried.

Ms. Moodie made a motion to come out of executive session. It was seconded by Ms. Lindley-Kessler. Motion carried.

APPLICATIONS

Ms. Lindley-Kessler made a motion to table the following pending receipt of additional information:

Applicant ID 901169964

It was seconded by Ms. Moodie. Motion carried.

NEXT MEETING was scheduled for November 21, 2019 at 2:00 PM MST.

ADJOURNMENT

Ms. Moodie made a motion to adjourn the meeting at 10:36 AM MDT. It was seconded by Ms. Lindley-Kessler. Motion carried.

Cherie Strand, Chair

Jori A Bathina

Brenda P Krueger

Farrell Lindley-Kessler

Cari J Moodie

Kelley Packer, Bureau Chief